

**NOTICE OF PROPOSED RULEMAKING**

NOTICE IS HEREBY GIVEN that the Superintendent of Insurance ("Superintendent") upon the Superintendent's own motion, and proceeding pursuant to the New Mexico Insurance Code, Section 59A-1 -1 et seq. NMSA 1978 ("Insurance Code"), proposes to amend the rule pertaining to common definitions for health insurance regulations and other matters, codified at Title 13, Chapter 10, Part 29 of the New Mexico Administrative Code (NMAC) and titled as "Definitions."

The purpose of the rule amendment is to add five definitions to the existing list of definitions in order provide a common lexicon for use throughout the industry.

Statutory authority for promulgation of the proposed new rule is found at Sections 59A-2-8, 59A-2-9, and 59A-18-1 et seq. NMSA 1978.

The proposed rule may be found on the OSI website at <http://www.osi.state.nm.us> under the "Statutes & Rulemaking" tab and is incorporated by reference into this Notice of Proposed Rulemaking. The proposed rule designation is 13.10.31 NMAC. Copies of the Notice of Proposed Rulemaking and proposed rule are available by electronic download from the OSI website or the New Mexico Sunshine portal, or by requesting a copy in person at the NM Office of Superintendent of Insurance, 1120 Paseo de Peralta, Santa Fe, NM 87501.

OSI will hold a public hearing on the proposed rule on December 18, 2018 at 9:00 a.m. at the NM Office of Superintendent of Insurance, 4th Floor Conference Room, Old PERA Building, 1120 Paseo de Peralta, Santa Fe, New Mexico. The Superintendent or his designee shall act as the hearing officer for this rulemaking. OSI will accept oral comments at the public hearing from members of the public and any interested parties including, but not limited to OSI staff and health insurance carriers covering residents of this state.

Written comments, proposals, or responsive comments will be accepted through 4:00 pm on Friday, December 21, 2018 and may be submitted via email to [mariano.romero@state.nm.us](mailto:mariano.romero@state.nm.us) or may be filed by sending original copies to:

OSI Records and Docketing, NM Office of Superintendent of Insurance  
Attention: Mariano Romero, Room 331

1120 Paseo de Peralta, P.O. Box 1689, Santa Fe, NM 87504-1689     **Docket No.: 18-00060-RULE-LH**

Only signed statements, proposals or comments will be accepted. Scanned or facsimile signatures or electronic signatures conforming to federal and state court requirements will be accepted with the understanding that if there is any dispute regarding a signature, OSI reserves the right to require that original signatures be provided to verify the electronic or facsimile signature. All filings must be received between the hours of 8:00 a.m. and 4:00 p.m., Monday through Friday, except on state holidays. Any filings received after 4:00 p.m. will be filed to the docket the next business day.

Any person with a disability requiring special assistance in order to participate in the hearing should contact Melissa Martinez, Law Clerk, Office of General Counsel, at 505-476-0333 at least 48 hours prior to the commencement of the hearing.

The Superintendent will consider all oral comments, and will review all timely submitted written comments and responses. The record shall close on the earlier of thirty (30) days following the Public Hearing; that is January 17, 2019 or the date a Final Order is issued in this case.

DONE AND ORDERED this 13th day of November 2018.  
/S/JOHN G. FRANCHINI